

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
May 17, 2016  
112 Confederate Street  
6:00 PM**

Present: James Traynor, Hynek Lettang, Ben Hudgins, Chris Wolfe, Tom Petty, Planning Director Joe Cronin, Assistant Planner Chris Pettit

Absent: Tom Adams, Jay McMullen

Guests: Tommy Schmolze (Fort Mill School District), Jim Britton (Cumming Corp.), Richard Jackson (JCS Architects), Michael Ritchie (JCS Architects), Todd Sease (JCS Architects), Ryan Turner (Campco Engineering), Al Walters (Campco Engineering), Greg Smith (Resident), Joseph Smith (Resident)

Chairman Traynor called the meeting to order at 6:00 pm and welcomed everyone in attendance.

Planning Director Cronin stated that he had heard from Mr. Adams and Mr. McMullen in advance of the meeting, and that neither member would be able to attend due to other commitments.

Chairman Traynor stated that he had a conflict of interest on New Business Item #2, and would be recusing himself from discussion of that item. He asked fellow members if the agenda could be reordered to move that item to the end of the agenda. Mr. Wolfe made a motion to reorder the agenda as requested, with a second by Mr. Lettang. The motion was approved by a vote of 5-0, and the agenda was reordered.

Mr. Petty made a motion to approve the minutes from the April 19, 2016, meeting, with a second by Mr. Hudgins. The minutes were approved by a vote of 5-0.

**NEW BUSINESS ITEMS**

- 1. Subdivision Plat: 202, 204 & 206 Main Street:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and approve a revised subdivision plat for 202, 204 and 206 Main Street, located near the intersection of Main and Confederate Streets in downtown Fort Mill. The Planning Commission had reviewed and approved an earlier version of the plat in May 2015; however, the applicant was now proposing modifications to create one additional lot. The revised plat included the subdivision of York County Tax Map Number 020-03-01-003 into 7 lots ranging in size from 0.04 acre to 0.52 acre (Lots A-G). Two of the proposed lots, lots B (1,371.89 square feet) and E (1,278.33 square feet) did not meet the minimum lot size for the LC Local Commercial zoning district. However, Planning Director noted that the subdivision ordinance gives the Planning Commission the authority to grant a “lot variance” in instances when a strict interpretation would create a hardship. Planning Director Cronin stated that a strict interpretation of the minimum lot size would require property lines to

run through the middle of existing buildings, rather than along existing walls. Therefore, staff recommended in favor of approval, with the granting of a lot variance.

Mr. Hudgins made a motion to approve the subdivision plat, inclusive of a lot variance for lots B and E. Mr. Petty seconded the motion. The motion was approved by a vote of 5-0.

2. **Subdivision Request: Avery Plaza**: Consideration of this item was moved to the end of the agenda.
3. **Request to Approve Street Names: Legacy Phase II**: Assistant Planner Pettit provided a brief overview of the request, the purpose of which was to review and approve proposed street names for Legacy Phase II, a planned apartment project on Pleasant Road. Assistant Planner Pettit stated that the applicant had proposed three street names: Murray White Lane, Avent Drive and Kenbrook Drive. He added that Avent Drive and Kenbrook Drive were really just internal driveways, but noted that the county will usually assign street names for 911 and addressing purpose. Murray White Lane will be constructed as a private driveway for now, but will likely be converted to a public road at such time as the remainder of the Pleasant/Vista MXU project is developed in the future. Assistant Planner Pettit added that all names have been reviewed and approved by the county addressing office.

Mr. Petty made a motion to approve the following street names for the Legacy II project: Murray White Lane, Avent Drive and Kenbrook Drive. Mr. Wolfe seconded the motion. The motion was approved by a vote of 5-0.

4. **Request to Approve Street Names: Kingsley Village**: Assistant Planner Pettit provided a brief overview of the request, the purpose of which was to review and approve proposed street names for Kingsley Village, a planned apartment project within the Kingsley subdivision. Assistant Planner Pettit stated that the applicant had proposed a revised street name list, including the following: Millspring Drive, Bleachery Lane, Spindle Road, Graber Lane, Bali Road and Linen Lane. He added that a portion of the project will include a Broadcloth Street address, which was previously approved by the Planning Commission. Similar to the previous item, these streets will actually be private driveways, with names attached for 911 and addressing purposes. Assistant Planner Pettit stated that all names have been reviewed and approved by the county addressing office.

Mr. Wolfe made a motion to approve the following street names for the Kingsley Village project: Millspring Drive, Bleachery Lane, Spindle Road, Graber Lane, Bali Road, and Linen Lane, and to authorize the applicant to use any combination of these road names, in consultation with town and county staff. Mr. Lettang seconded the motion. Chairman Traynor stated that he was an employee of the applicant, and would abstain from voting on this item. The motion was approved by a vote of 4-0.

## **ITEMS FOR INFORMATION / DISCUSSION**

1. **Unified Development Ordinance Update**: Planning Director Cronin stated that staff was expecting to have the third draft of the Unified Development Ordinance (UDO) from the

consultant later in the week. Once it has been received, staff will forward a copy to all members of the UDO Advisory Committee. A final meeting of the UDO Advisory Committee will be scheduled for early June to review and formally endorse the document. A special called meeting of the Planning Commission may be called for the same evening so that the commission may take a final vote on the draft document before submitting it to town council for review and approval.

2. **Preliminary Appearance Review: Fort Mill High School #3**: Assistant Planner Pettit provided a brief overview of the request, the purpose of which was to consider the request for preliminary appearance review approval for Fort Mill High School #3 located on the Fort Mill Bypass.

Since the project would be located in the COD and COD-N overlay districts, Mr. Pettit took the Planning Commission through the full staff report, noting how the proposed building plans addressed setbacks, heights, placement and orientation, and materials. Mr. Pettit additionally noted how the proposed site plan addressed landscaping and buffers, lighting, pedestrian pathways, fencing and retaining walls, vehicle and bicycle parking, signage, and traffic related improvements.

Mr. Pettit noted that the applicant's submission was intended to mainly receive preliminary comments based on the general concept of the proposal and that a future submittal would include all of the details required for commercial appearance review approval.

Mr. Wolfe questioned the height of the building as it related to the required 20' minimum and 45' maximum heights as noted in the COD-N overlay. Mr. Sease, representing the project architect JCS Architects, noted that the fly loft would be 55' high but would sit back approximately 120' from the front façade. Mr. Sease also noted that the band room, which appears as the shortest height, would exceed the 20' minimum height. Mr. Pettit noted that the Planning Commission could approve the deviation from the maximum height requirement using Subsection 17 "Alternative means of compliance" as mentioned within the COD-N overlay code or otherwise the applicant could request a variance through the town's Board of Zoning Appeals. Mr. Sease questioned whether the code allowed heights above the maximum height as long as the portion exceeding met increased setback requirements, to which Mr. Pettit noted that he would verify and get back to them. Mr. Traynor noted that trees, in addition to increased setbacks, could soften the increased height of the fly loft.

Mr. Sease discussed some of the overall design features of the building and the site, noting that the site itself was beautiful and the intent was to create a family friendly, park like setting for the school. Mr. Hudgins suggested keeping as many of the larger sized trees to help keep the park like atmosphere intact, to which Mr. Sease noted that it was there intent to do so by limiting creek crossings on the site and keeping those areas green.

Mr. Petty questioned whether there would be retaining walls, to which Mr. Jackson noted that the site is being designed to try and meet a balance between the amount of grading/clearing and the number of retaining walls on the site. Mr. Sease noted that the

building is being designed to fit in to the slopes on the site so as to additionally minimize the number of retaining walls on the site. Mr. Schmolze noted that keeping the natural areas provides additional educational benefits for science classes studying the environment and ecosystems on the site.

Mr. Wolfe questioned when construction would start on the school, to which Mr. Britton noted that site grading may occur Q3 or Q4 this year and the building starting approximately Q1 or Q2 of 2017.

Planning Director Cronin noted that there are other moving parts along the corridor, including the town's water line expansion down the corridor. Mr. Walters noted that the applicant has worked with York County/DOT to reduce the road ROW due to some benefits of the proposed grading of the high school site, which Mr. Walters additionally noted that the grading provides benefits to the town in simplifying some of the installation of the water line. Mr. Schmolze noted that the town, school district, and DOT/York County working together has been a benefit to everyone involved.

3. **Special Called Meeting Request:** Planning Director Cronin stated that staff was expecting a significant number of new items to be submitted in June. To help manage the workload, staff will be requesting a special called meeting, most likely during the first or second week of June. Staff will contact members by email to coordinate a date for the special called meeting.

#### **NEW BUSINESS ITEMS (CONTINUED FROM ABOVE)**

Chairman Traynor stated that he had a conflict of interest on the next item, and would be recusing himself from discussion. Chairman Traynor left the meeting at 7:05 pm, and Vice-Chairman Hudgins assumed the role of acting chair.

2. **Subdivision Request: Avery Plaza:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and approve a revised subdivision plat for Avery Plaza, located at the northeast quadrant of SC Highway 160 and Springfield Parkway. The Planning Commission had reviewed and approved an earlier version of the plat in July 2015; however, the applicant was now proposing modifications due to one proposed lot, which contains an existing stormwater detention pond, having a different zoning designation than the remainder of the Avery Plaza tract. The revised plat included the subdivision of Avery Plaza into four lots (Lots 1-4), ranging in size from 1.63 acres to 10.70 acres, each of which will retain its existing HC zoning. A new 1.38 acre parcel (Lot 5), will be created, along with access easement, for the detention pond. Lot 5 will retain its existing R-10 zoning. Staff recommend in favor of approving the subdivision plat.

Mr. Petty made a motion to approve the subdivision plat as submitted, with a second by Mr. Lettang. The motion was approved by a vote of 4-0.

There being no further business, the meeting was adjourned at 7:10 pm.

Respectfully submitted,

Joe Cronin  
Planning Director

# RECUSAL STATEMENT

Member Name: JAMES TRAYNOR

Meeting Date: MAY 17

Agenda Item: Section NEW BUS Number: 2

Topic: SUBDIVISION REQUEST: AUCRY PLAZA

*The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.*

## Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: AFFILIATED COMPANY OF MY  
EMPLOYER

Date: 5/16/16 J Traynor  
Member

Approved by Parliamentarian: [Signature] 5/17/16